

Feb-14-05 04:55pm From:HBSR

1-878-341-0242

T-305 P.04/08 F-164

Initials: JMS/MBS/eci

Docket No.: 3058.1000-024

Date: July 21, 2003

This is to acknowledge receipt of the following documents each filed under Certificate of  
Mailing Procedure 37 C.F.R. 1.8:

- ☒ Amendment/Reply Fee Letter w/copy ☒ Pet Ext Time w/copy  
☒ AMENDMENT  
☒ AMENDMENT AFTER FINAL ACTION  
☒ Marked Up Version of Amendments (i - viii)  
☐ Check for \$  
☒ REPLY TO OFFICE ACTION  
☒ Other Reissue declaration by the Assignee

Auth to charge fees

JUL 25 2003

Filed: November 6, 2001

Applicant: Vincent Palermo et al.

Application No.: 09/993,328

Title: Time Multiplexed Short-Range Magnetic Communication

Date received by the PTO:

B/12  
6/15/04  
④

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

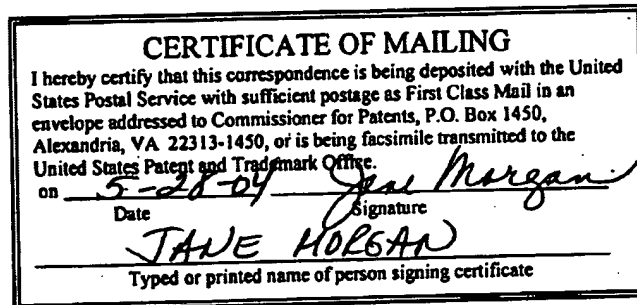
Applicant: Vincent Palermo, Patrick J. Cobler and Neal R. Butler

Reissue of Application No.: 09/993,328 Group: 2663

Filed: November 6, 2001 Examiner: Lee, Chi Ho A

Confirmation No.: 5680

For: TIME-MULTIPLEXED SHORT-RANGE MAGNETIC COMMUNICATIONS



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AMENDMENT FILED JULY 21, 2003 IN COMPLIANCE WITH 37 C.F.R. 1.173

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This Amendment was originally filed on July 21, 2003 in response to the Office Action mailed from the U.S. Patent and Trademark Office on February 21, 2003 in the above-identified application. It is being refiled in response to a Reply to Notice of Non-Compliant Amendment. Applicants thank Examiner for a telephone discussion on May 11, 2004 regarding this matter.

The Notice cites 37 C.F.R. 1.121. Applicants believe the Notice should be under 37 C.F.R. 1.173. In particular, in Part 1 of the Notice, Applicants are not amending the specification in the Amendment. In Part 4, subpart A of the Notice, Applicants believe Examiner is requesting a "Statement of Status and Support for All Claims," under 37 C.F.R. 1.173(c), which is being filed concurrently herewith. Also in Part 4, Applicants believe subpart E should have been marked instead of subpart D based on the statement included in subpart E. In

06/16/2004 JDOBBS 00000005 080380 09993328

01 FC:1201 1290.00 DA  
02 FC:1202 270.00 DA

Adjustment date: 03/22/2005 SDIRETA1  
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01 FC:1201 1290.00 CR  
02 FC:1202 270.00 CR

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PATENT APPLICATION  
Docket No. 3058.1000-024

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Vincent Palermo, Patrick J. Cobler and Neal R. Butler  
Application No.: 09/993,328 Group: 2663  
Filed: November 6, 2001 Examiner: Lee, Chi Ho A  
Confirmation No.: 5680  
For: Time-Multiplexed Short-Range Magnetic Communications

<b>CERTIFICATE OF MAILING OR TRANSMISSION</b>	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on	
<u>Feb. 14, 2005</u>	<u>Elaine Leahy</u>
Date	Signature
<u>Elaine Leahy</u>	
Typed or printed name of person signing certificate	

### REQUEST FOR REFUND

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

On July 21, 2003, an Amendment, Fee Transmittal, Petition for Extension of Time and Reissue Application Declaration by Assignee, with an authorization to charge Deposit Account No. 08-0380 in the amount of \$2248 in payment of the amendment fee and two months extension of time was filed in the U.S. Patent and Trademark Office. A copy of the stamped postcard receipt for this document, indicating a date of receipt of July 25, 2003 is attached.

On April 26, 2004, in response to a telephone call with Examiner Chi Ho A Lee stating the Amendment had not been received, a copy of the Amendment, Fee Transmittal, Petition for Extension of Time and Reissue Application Declaration by Assignee, and stamped postcard was faxed to the Central Location of the U.S. Patent and Trademark Office.

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09/993,328

-2-

On May 28, 2004, Applicants filed a Reply to Notice of Non-Compliant Amendment, which included the previously filed amendment with corrections, and a Statement of Status and Support for All Claims.

Applicant's Attorney is in receipt of a Monthly Statement of Deposit Account, dated July 31, 2003, indicating the Patent Office charged \$2246 (fee codes 1252, 1201 and 1202) for U.S. Application No. 09/993,328 (Attorney's Docket No. 3058.1000-024) posted on July 28, 2003 and July 29, 2003.

Applicant's Attorney is also in receipt of a Deposit Account Charge statement dated June 30, 2004, indicating that the Patent Office charged \$1560 for Independent claims in excess of three and claims in excess of twenty for U.S. Application No. 09/993,328 (Attorney's Docket No. 3058.1000-024) posted on June 16, 2004.

Applicant believes that we were charged for 15 independent claims and 15 dependent claims, which had been previously paid for on July 31, 2003.

In view of the foregoing, Applicant's Attorney respectfully requests that the Patent Office credit Deposit Account No. 08-0380 in the amount of \$1560. Copies of the Monthly Statements of Deposit Account dated July 31, 2003 and June 30, 2004 are attached.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Mark B. Solomon  
Mark B. Solomon

Registration No.: 44,348

Telephone: (978) 341-0036

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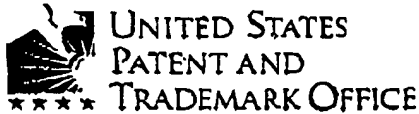
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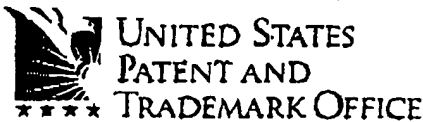
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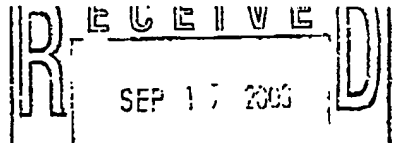
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7	29	03	1	09993328	3058.1000-02	1201	1512.00 ✓	17387.00
7	29	03	2	09993328	3058.1000-02	1202	324.00 ✓	17063.00
7	29	03	48	10030727	2277.1000-000	8021	40.00 ✓	17023.00
7	30	03	5	09975082	2736.2017000	1253	930.00 ✓	16093.00
7	30	03	6	09975082	2736.2017000	1806	180.00 ✓	15913.00
7	31	03	2	09235738	1314.1042-000	2814	55.00 ✓	15858.00
AN AMOUNT SUFFICIENT TO COVER ALL SERVICES REQUESTED MUST ALWAYS BE ON DEPOSIT					OPENING BALANCE	TOTAL CHARGES	TOTAL CREDITS	CLOSING BALANCE
					24867.00	11051.00	2042.00	15858.00

\*\*\* O.D. INDICATES OVERDRAWN

Feb-14-05 04:54pm From:HBSR

1-978-341-0242

T-305 P.01/09 F-164

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.  
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**REFUND REQUESTS**

**FACSIMILE COVER SHEET**

**Examiner:** Lee, Chi Ho A **Group:** 2663

**Date:** February 14, 2005

**Client Code:** 3058

**Facsimile No.:** 703-308-5077

**From:** Mark B. Solomon

**Subject: Paper: Request for Refund**

**Docket No.:** 3058.1000-024

**Applicants:** Vincent Palermo, Patrick J. Cobler and Neal R. Butler

**Serial No.:** 09/993,328

**Filing Date:** November 6, 2001

Number of pages including this cover sheet: 9

Please confirm receipt of facsimile: Yes X No     

**Comments:**

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